

To the Ld. Mayor, & other Justices & Aldermen Of the CITY of L O N D O N.

The Case of the Prisoners, commonly called QUAKERS in the said City, Humbly Presented:

We the said Prisoners, who have nothing but Love and Good will, Sincere and Due Respects towards you all, both as Men and Civil Magistrates, do Heartily wish your Health and Prosperity in Justice and Truth.

TH E Matters which we would humbly present to your serious and tender considerations, are chiefly concerning the Charge against our peaceable Religious Assemblies, in late Indictments rendered *Riots, &c.* but in some later *Routs & Unlawful Assemblies, with Force & Arms, &c.* & then Fining & Imprisonment till payment; together with a Judgment against some to find Sureties for the Good Behaviour. This course having been taken, we really conceive the measure we have thereby is not only hard, but altogether unmerited on our parts: We hope you'll give the Losers and Sufferers leave to speak without offence.

We pray you seriously consider, whether the Charge of *Routs, &c.* can be rationally laid upon our said peaceable Assemblies, or they justly punishable as *Routous*; and we thereupon to be thus closely confined and fined, as *Persons Routous, &c.* On the legal definition of *Routs*, as given by allowed Authorities. "As an Unlawful Assembly in Common Law, is, of the Company of three or more Persons, disorderly coming together, with Intention to commit an unlawful Act; as to beat a Man, or to enter upon his Possession, cut or destroy his Corn or Grass, or such like. So a *Rout* is when such Assembly *moveth*, going or riding forward, to commit by force such unlawful Act, to the injury of the Person or Possession of another. And then a *Riot* is when they do execute the same, using threatening words, furious gestures, and other Force and Armes, to the terror of the people, wherein there is some apparent disturbance of the publick Peace, either by signification of Speech, shew of Armour, turbulent Gesture, or actual and express Violence, &c. In which definition, both *W. Lambard* in his *Eirenarchia*, the Lord *Cook* in his *Institutes* 3d. pt. and *Mich. Dalton* in his *Justice of Peace*, under those titles of *Riots, Routs, Breach of the Peace, and Unlawful Assemblies, &c.* with many other Authorities do agree.

Pray observe in case of a *Rout*; Suppose a Company of Rude Persons met to contrive some Mischief or Injury against the Persons, Goods or Possessions of their Neighbours, and moving forward with Clubs or any offensive Weapons, to commit the *Riot* designed, and these should be apprehended in their Motion, before the Fact be committed, and then Indicted for a *Rout & Unlawful Assembly, &c.* the Question is, *Whether the Indictment framed against these, be not in the same manner and form, or mostly of the same kind, with these Indictments against us, for our Religious Meetings to Pray to God? &c. what Book-Case or Precedent in Common Law or Equity can Parallel these, or warrant the last?*

Now we can Appeal, 1st, To Almighty God, who knows our Hearts and secret Intentions, that our Religious Assemblies are with no such Injurious Intentions; And to the Censures of our indifferent Neighbours and Spectators, that our Meetings have never given them occasion to think, that ever we intended any such Injury or Force, either by Motion or Weapon, nor can any such thing be attested against us. And we doubt not but all unprejudiced Jurors, our Neighbours do understand, that our Meetings are upon no such injurious account, but on a Religious account, for Worship towards Almighty God. And therefore how can it be just or reasonable any Jurys should be imposed upon, to find us Guilty, either of *Routs, Riots, or Unlawful Assemblies*, as before described, to bring Guilt, Danger or Damnation upon their own Souls: Who as they are not to be Menaced into a Verdict, so not to be Fined nor Imprisoned for finding according to their Consciences, though it may seem not consistent with the Evidence or Direction of the Court, according to the Lord *Vaughan's* Reports in *Bushel's* Case, in the 22 Year of *K. Charles 2.* fol. 143, & 155. "For (saith he) the Jury may know the Witnesses to be Stigmatized and Infamous, which may be unknown to the Parties; and consequently to the Court. And further saith fol. 143. (in the same case) "If the Judge from the Evidence shall by his own Judgment, first resolve upon any trial what the Fact is, and so knowing the Fact, shall then resolve what the Law is, and order the Jury Penalty to find accordingly; What either necessary or convenient use can be fancied of Jurys, or to continue Trials by them at all? Thus far the Learned Judge *Vaughan* argues the case in behalf of the Jury, having not found *Penn* and *Mead* guilty of a *Trespass, Unlawful Assembly, Rout and Tumult, &c.* whereof they stood Indicted, notwithstanding they were taken and indicted on occasion of such a Religious Meeting, as these for which we now suffer; yet the Jury in Conscience could not find them Guilty of a *Rout* or *Riot, &c.* Who being therefore Fined *Foray Marks a Man, and Committed to Prison*, the said Judge *Vaughan* vindicated the Jury, and opposed such proceeding against them; to which the rest of the Judges at *Westminster*, who were present at the Argument, agreed.

Besides, that is a Remarkable Passage of *K. Charles 1st.* in his *ΕΙΣΩΝ ΒΑΣΙΛΙΚΗ* where he saith in his Prayer (viz) "Make them at length serious to consider, that nothing Violent or Injurious can be Religious. which may be considered and applied several ways. 1st. our Assemblies being generally believed and known to be religious and peaceable on our parts, are therefore no *Routs, Riots, or unlawful Assemblies*, wherein either violence or injury is intended or acted. 2ly. If nothing Violent or injurious can be Religious; Then with what conscience can any Judge our Religious quiet Meetings, *Routs* or *Riots*. 3ly. How can the violence and injury then done to us, both against our said Meetings, against our Persons by close Confinement, and against our Estates by Spoil, be Religious or Christian? Nay are not such Severities rather a Reproach to Christianity?

Lastly whereas some of us, besides our Fines and Imprisonments, are sentenced to find Sureties for the good behaviour, or else to be continued in durance. We intreat you to con-

sider, in what cases Surety for the good behaviour, is to be granted, according to Common Law and Justice.

Pray Observe. "It is chiefly to be granted against Common Barretours, common Quarrellers, Rioters, such as ly in wait to Rob, or shall be suspected for that cause, or shall assault or attempt to robb, or are generally feared or suspected to be robbers by the high-way and against such as are like to commit Murder, homicide and other grievances &c. and against such as shall practise to Poison another, and against such as be of evil name and fame, as for resorting to houses suspected to maintain Adultery or incontinency, and against the maintainers of houses commonly suspected for Bawdery, and against common whoresongers and common whores, and against night-walkers, suspected to be pilferers &c. And against Eves-droppers, and such Night-walkers that cast mens Gates and Carts into Ponds &c. suspected persons who live idly, common haunters of Alehouses and Taverns, common Drunkards &c. such as go in the Message of Thieves &c. As you may see at large in *M. Daltons Justice of Peace*, under the Title, *Surety for the good behaviour*, grounded on other Authorities.

Now pray Consider these things between God and your own Consciences, seeing neither We nor our Assemblies are under any of these criminal circumstances, what parity can there be between these crimes, misbehaviours or enormities, and our Peaceable Meetings, in Spirit and Truth to pray worship and praise Almighty God that made us, according to our tender Consciences: which both the Holy Scriptures, & consequently the Liturgy of the Church of England require and Warrant without exception of Persons or places? And what Book-case or precedent in Common Law and Justice can be produced either to prove such Meetings *Routs*, or to *Fine, Imprison*, or require Sureties for the good Behaviour, for praying to God, or peaceably Worshipping him in our Religious Assemblies, according to our Faith and Perswasions, without any intention or overt-Act of Violence or Injury either to the Government, or to any person or property of another whatsoever. The Righteous Judge of all knows our Innocency in these matters.

The premises Considered, We do in Christian humility intreat you, not to detain us under close Confinement to the impairing our healths, endangering our Lives, and Ruining our Distressed Families. And we further Request you, not to Sentence any more of us, to find Sureties for the Good behaviour (for our quietly Meeting to Worship God) and to discharge those of us, who are under the same Sentence. God preserve and direct you.

From Newgate, and Woodstreet Compter, 5
this 5th of the 10th Month, 1684.

Your Suffering Friends and Wellwishers.

ADVERTISEMENT.

THis precedent Application was delivered to the Lord Mayor the 5. of the 10. mo. 1684. and also a Letter to the Recorder of the same import, the 6th ditto. To which may be added, that the Indictments against our Assemblies for being *Routous, Unlawful, with Force and Arms, &c.* we conceiving to be in the same Terms as Indictments are framed against Persons assembled and moving forward in a *Routous* manner, with Intention to commit some *Riot* or *Unlawful Act* with Force, to the injury or hurt of the Neighbours, their Persons or Possessions: Whence our Assemblies are clear both from any such *Injurious Intention, Motion or Action*, as well as *Armed Force*, for we appear with no Weapons nor Force; and therefore do still question, how these can rationally hold parallel in Fact, or be equally punisht in point of Justice, Common Law or Equity.

And further, our Assembling being with Intention to Worship Almighty God in Spirit & Truth waiting on him & therein to pray to & praise him. This the Holy Scriptures Warrants & Requires, & consequently the Liturgy of the Church of England, by requiring the reading and practice of Holy Scripture; and expressly, on *St. Matthias Day*, Act. 1. is cited, where its said, *In these days Peter stood up, &c. The number of the Names that were together, were about 120, and they continued with one accord in Prayer and Supplication, v. 14. And also on Good Friday*, Epist. Hebr. 10. 24, 25. is cited in the Liturgy, viz. *Let's consider one another, to provoke one another unto Love and good Works, not forsaking the Assemblies of our selves together, as the manner of some is, but let's exhort one another, and that so much the more, because you see the day approaching.* And John 1. (Liturgy, 2d Lesson to be read at Morning Prayer, in March 17. and July 16. viz. observe,) v. 21. *Jesus saith unto her, Woman, believe me, the hour cometh when ye shall neither in this Mountain, nor yet at Jerusalem, Worship the Father. v. 23. But the hour cometh, and now is, when the true Worshipers shall worship the Father in Spirit and in Truth; for the Father seeketh such to worship him. v. 24. God is a Spirit, and they that worship him, must worship in Spirit and in Truth. 1 Cor. 14. appointed for the 2d Lesson at Evening Prayer in May 31. and Sept. 29. in which are these Instances. V. 14. But if all Prophesy, and there come in one that believeth not, or one Unlearned, he is Convinced of all, he is Judged of all. v. 25. And thus are the Secrets of his Heart made manifest, and so falling down on his Face, he will Worship God, and report that God is in you of a Truth. v. 26. How is it then Brethren, when you come together, every one of you hath a Psalm, hath a Doctrine, hath a Tongue, hath a Revelation, hath an Interpretation; let all things be done to Edifying. v. 29. Let the Prophets speak, two or three, and let the other judge. v. 30. If any thing be revealed to another that sits by, let the first hold his peace. v. 31. For ye may all Prophesy one by one, that all may Learn, and all may be Comforted. v. 32. And the Spirits of the Prophets are subject to the Prophets. v. 33. For God is not the Author of Confusion, but of Peace, as in all the Churches of the Saints; thus far the Liturgy allows.*

And this was good Order in the True Christian Church, &c. with many more Instances that might be produced to justify our Practice, and what we Profess or Pretend, both as to the Matter and Manner of Religious Exercise and Worship.

K. F. G.

To the Chief Magistrate, Rulers, Ministers,

Justices of the Peace, and other Officers;

Who Profess Christ and Christianity, and are called by that Worthy Name and Great Title of CHRISTIANS, which is from the King of Kings and Lord of Lords Christ Jesus.

AND you professing the holy Scriptures of Truth, and confessing to the New Testament & New Covenant, and the Law and the Prophets, which is To Love God above all, and your Neighbours as your selves, and the Royal Law of God spoken of in the New Testament, which is, To do unto others as you would have them do unto you: Now would not you Judge and believe, that it was Contrary to the Royal Law of God, if that the *Papists* or the *Presbyterians* should make Spoil of your Goods, and take away your goods out of your shops, and your very Beds & Working Tools, your Corn and your Cattel, so that you have not a Cow to give your Family and your Children Milk, nor Corn to make you Bread; And all that because for Conscience sake you are of the *Papists* or *Presbyterians* Religion? Would you say, this was according to the Royal Law of God, and the Nobility of true Christianity in them, To do unto all, as they would be done unto, if they should serve you so?

2dly, And would you say, It was according to the Royal Law of God, to be haled from your peaceable Meetings by Officers & Soldiers for Serving & Worshipping God in his Spirit and Truth, that made you; and to have your Goods taken away from you through Informers, to the Ruin of your Wives and Children, and to be cast into Loathsome Prisons, there to be kept till some of you Died, because for Conscience sake you cannot be of the *Papists*, *Presbyterians* or *Independents* Religion? Would you not say, this was Contrary to the Royal Law of God, and to the Nature and Nobility of true Christianity in them, that should do so to you?

3dly, And if the *Presbyterians*, *Independents* or *Papists* should make you pay Twenty Pound a Month, or Two Thirds of your Estates, and bring *Quitam Writs* against you, as is now against many Hundreds of us, and cast you in Prison, and spoil your Goods, (as ours now are) because for Conscience sake you cannot joyn with their outward Forms of Religion; Would you say, that this was according to the Royal Law of God, To do unto others as they would have them do unto them, or according to the Law and the Prophets, To love their Neighbours as themselves?

4thly, If the *Papists*, *Presbyterians* or *Independents*, should Banish you from your Wives and Children, or Imprison you (as many of us are now Imprisoned, and others have been Banished) because you do peaceably meet together to Serve and Worship God, and Pray to him, and they should call your Peaceable Meetings, *Seditious Conventicles* and *Riots*, because you cannot for Conscience sake joyn to any of their Forms of Religions; would you not say, this was contrary to the Law and the Prophets, To love their Neighbours as themselves; and to the Royal Law of God, To do unto all Men, as they would have them do unto them; and to the Nobility of True Christianity, in them that should do so unto you?

5thly, And would not you think it very hard from the *Papists*, *Presbyterians* or *Independents*, if they should *Premunire* you, and cast your Men, Women and Widdows into Prison, (as many of us are now from their Wives and Children) because for Conscience sake you dare not Swear at all, or take any Oath, because Christ and his Apostle forbids it, Mat. 5. and Jam. 5. Though your peaceable Lives and Conversations have, and do shew forth your Allegiance to the King; and though you are willing to testify the Truth in all Matters and Cases with *Yea, Yea, or Nay, Nay*, as Christ and the Apostle commands, and as we have done and do: Would you say, this was according to the Law and the Prophets in them, and the Royal Law of God, To love their Neighbours as themselves, and To do unto all, as they would be done unto?

6thly, And would the Bishops and Priests believe, that it was according to the Royal Law of God, and according to the Law and the Prophets, for the *Papists*, *Presbyterians* or *Independents* to Excommunicate them, and cast them in Prison, and there to keep them till they die, (as several of us have been so kept, and many are now in Prison) because for Conscience sake you cannot joyn to the *Papists*, *Presbyterians* or *Independents* Forms of Religion: Would you say, this were To love their Neighbours as themselves, and To do unto others as they would have others do unto them; and that it was according to the Nature and Nobility of True Christianity in them, that should do so unto you?

And now I do in Humility desire you to consider, did ever Christ and his Apostles force any to be of his True Religion and Worship, and if that they would not, then to give forth Orders to take away their Goods, and their very Beds, their Corn which should make them Bread, their Cattel which should help to Maintain them, and their Cows which should give them Milk, their Cloaths they should Wear to keep them Warm, and their Tools they should Work withal to get their Living? Did not Christ on the Contrary Exhort Christians To Love one another, and To Love Enemies? And the Apostle says, Overcome Evil with Good. And Christ told the Jews, what the Substance was of the Law and the Prophets, (viz) To Love God above all, and their Neighbour as themselves. And should not all, that go by the Name of Christians, and Profess that great Title of Christianity, from Christ Jesus the Lamb of God, shew forth the Nobility of True Christianity, and his Lamb-like Nature; and not one Christian to tear another to Pieces and Spoil his Goods and Cast him into Prison, because he cannot for Conscience sake receive and Join to another's Form of Religion; seeing that Christ Rebuked his Disciples, That would have had Fire to come down from Heaven to consume them that would not receive him, and told them, They did not know what Spirit they were of; and that he came not to destroy Mens Lives, but to save them. Should not all True Christians have the mind of Christ?

Do you think, that God doth accept the Sacrifice or Offerings of Forced

Religion, to save themselves from Prison, and from Spoil of their Goods, contrary to their Tender Consciences? Were not the Offerings and Sacrifices to be Free-will Offerings to the Lord in the time of the Law? And in the Gospel day of the New-Covenant and Testament, are not the Offerings and Sacrifices of the Lord Spiritual? And can any man force and compel the Spirit of God to that Offering and Sacrifice? For doth not the Apostle say to the Christians, Ye are a Royal Priesthood, offering up Spiritual Sacrifices to God by Jesus Christ; And after Christ was ascended, did ever the Apostles, Bishops or Elders give any orders to Excommunicate, Spoil Goods, and Cast any into Prison, there to be kept till Death (as many of us have been) such as could not conform to their Religion?

And therefore I desire you in the Fear of the Lord, and in his Gentle, Holy Wisdom (which is easie to be intreated) to consider these things, and us, who are under great Sufferings, Imprisonment and spoyling of Goods; whether this is according to the Royal Law of God and his Prophets, which is To love their Neighbours as themselves, and To do unto all, as they would be done unto; or according to the Nature of the Lamb Christ Jesus, and the Nobility of True Christianity? And whether or no ye would say, If the *Presbyterians*, *Independents* or *Papists* should do so to you concerning your tender Consciences, and for your Worship and Serving of God, and your not joyning with them, it would be well in them, and according to the Royal Law of God, To do unto you, as they would not have others do unto them; and whether you would say, it were according to the Lamb-like Nature of Christ, and according to True Christianity?

So I desire you, that ye would weigh these things with the Spirit of God, the Balance of the Sanctuary; and measure them with the Line and Rule of Righteousness, according to the Scriptures of Truth.

From him, that desires the Good and Happiness of the King and Kingdom, and all the King's Subjects in it, in this Life, and his and their Eternal Welfare in the Life and World which is Everlasting; and do Pray for Kings, Princes, Governors and Magistrates, that we may Lead and Live a Holy, Peaceable and a Quiet Life in all Godliness under them: For Magistrates are for a Peace of them that do well.

London, the 17th of
the 9th Month,
1684.

G. F.

POSTSCRIPT.

VV Here do ye ever read, that the Jews, when they had Conquered any Nation or Kingdom, did by the Law Force them to the Jewish Religion, or to be Circumcised? Or that they Cast them into Prison, if they would not joyn with them in their Divine Service? Though Christ said, They Compelled Sea and Land to make Profelytes; yet where do ye read, they made them by Force, or they became Profelytes to save their Goods, or keep themselves out of Prison? And ye read in Genesis, that Abraham and Isaac lived in Gera in King Abimelech's Country; yet ye do not read that the King forced them to his Religion; but they had their Liberty to Serve and Worship God. And also in Genesis, when Abraham went down into Egypt, and Jacob and his Family after him, ye do not read, that King Pharaoh forced either Abraham or Jacob and his Family to his Religion, while they lived there. And the Turks when they Conquer any Nation or People, or take Captives, we do not hear that they force them to their Religion: For our Friends (the People called Quakers) in Algier, that are taken Captives by the Turks, have their Liberty peaceably to Meet together, to Serve and Worship God there without Disturbance. And therefore they that bear that Great and Worthy Name of Christians, from Christ Jesus, and profess the Holy Scriptures of Truth, and the Royal Law of God, which is To do unto others, as they would have them do unto them, should shew forth the Nobility of True Christianity, and the Nature of the Lamb Christ Jesus, which is far above all Turks and Heathens.

G. F.

Mat. 5. 7. Blessed are the Merciful, for they shall obtain Mercy.

Mat. 9. 13. Christ saith, Learn what that meaneth, I will have Mercy, and not Sacrifice.